

NIXON &amp; VANDERHYE PC Fax: 703-816-4100

Dec 18 2006 14:58

P.01

DEC 18 2006

## UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty 550-489

Dkt.

C# M#

TC/A.U. 2116

Examiner: M. Brown

Date: December 18, 2006

FLYNN

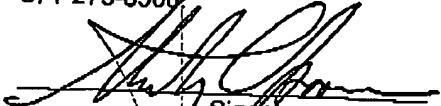
Serial No. 10/715,368

Filed: November 19, 2003

Title: DATA PROCESSING PERFORMANCE CONTROL

RESPONSE UNDER RULE 116  
EXPEDITED HANDLING PROCEDURES  
FACSIMILE CERTIFICATE

I hereby certify that this Amendment  
is being transmitted by facsimile to  
the Patent and Trademark Office on  
December 18, 2006, specifically to  
571-273-8300



Signature  
Stanley C. Spooner  
Reg. No. 27,393

No. of pages transmitted (including  
this cover sheet): 12 pages

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 Correspondence Address Indication Form Attached.

Fees are attached as calculated below:

Total effective claims after amendment previously paid for	20	(at least 20) =	11	minus highest number 0 x \$50.00	\$0.00 (1202)/\$0.00 (2202) \$
Independent claims after amendment previously paid for	3	(at least 3) =	3	minus highest number 0 x \$200.00	\$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s)

One Month Extension	\$120.00 (1251)/\$60.00 (2251)
Two Month Extensions	\$450.00 (1252)/\$225.00 (2252)
Three Month Extensions	\$1020.00 (1253)/\$510.00 (2253)
Four Month Extensions	\$1590.00 (1254)/\$795.00 (2254)
Five Month Extensions	\$2160.00 (1255)/\$1080.00 (2255) \$

Terminal disclaimer enclosed, add

\$130.00 (1814)/ \$65.00 (2814) \$

 Applicant claims "small entity" status.  Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee

\$180.00 (1806) \$ 0.00

Assignment Recording Fee

\$40.00 (8021) \$ 0.00

Other:

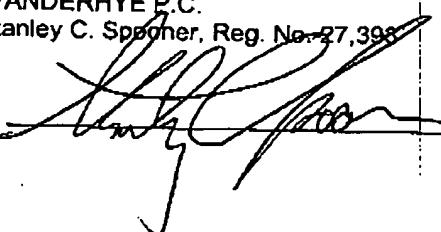
\$ 0.00

**TOTAL FEE ENCLOSED \$ 0.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.  
By Atty: Stanley C. Spooner, Reg. No. 27,393

Signature: 

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

FLYNN

Atty. Ref.: 550-489; Confirmation No. 9185

Appl. No. 10/715,368

TC/A.U. 2116

Filed: November 19, 2003

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For: DATA PROCESSING PERFORMANCE CONTROL

\* \* \* \* \*

December 18, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

AMENDMENT UNDER RULE 116

This Amendment is responsive to the Final Rejection mailed September 18, 2006 (Paper No. 20060906), the date of response to which is December 18, 2006.